



THE COUNCIL OF THE CITY OF BINGHAMTON
STATE OF NEW YORK

Date: March 20, 2013

Sponsored by Council Members: Webb, Motsavage, Matzo, Rennia, Mihalko, Papastrat

Introduced by Committee: Employees

LOCAL LAW No. 13-1 of 2013

entitled
A LOCAL LAW AMENDING THE
APPOINTMENT AND TERM OF THE CITY
ENGINEER

WHEREAS, the Charter of the City of Binghamton provides for appointment of the City Engineer by the Mayor and for a two (2) year term of office, subject to removal by the Mayor at will; and

WHEREAS, the Council of the City of Binghamton believes that the position of City Engineer, which provides oversight and planning for City projects and currently the repair and remediation of the Binghamton-Johnson City Joint Sewage Treatment Plant, requires unique professional skills and consistency; and

WHEREAS, the Council of the City of Binghamton believes that to accomplish these goals the position of City Engineer should be appointed by the Mayor, subject to approval of City Council, for a six (6) year term beginning January 1, 2014, through December 31, 2019, and subject to removal or other disciplinary action by the Mayor only for incompetency, misconduct, or insubordination in accordance with Civil Service Law § 75 and the Code of the City of Binghamton § 124-1; and

WHEREAS, the Council of the City of Binghamton believes that it may be appropriate to further extend appointment of a City Engineer for additional six (6) year terms upon mutual consent of City Council and the Mayor after January 1, 2016.

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby ordain as follows:

Section 1. That the Common Council of the City of Binghamton hereby approves an amendment to the Charter of the City of Binghamton to provide for the position of City Engineer to be appointed by the Mayor, subject to approval of City Council, for one six (6) year term beginning January 1, 2014, through December 31, 2019, that after January 1, 2016, the term may be extended by a Local Law approved by City Council and the Mayor, and the City Engineer will be subject to removal or other disciplinary action by the Mayor only for incompetency, misconduct, or insubordination in accordance with Civil Service Law § 75 and the Code of the City of Binghamton § 124-1.

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Section 2. That the Common Council of the City of Binghamton hereby submits this Local Law to the Broome County Board of Elections for the approval of the electors at a general election of state or local government officers to be held on November 5, 2013, to decide:

Pursuant to Municipal Home Rule Law § 23, should the City of Binghamton amend its Charter and Code of the City of Binghamton to provide for the position of City Engineer to be appointed by the Mayor, subject to approval of City Council, for one six (6) year term beginning January 1, 2014, through December 31, 2019; that after January 1, 2016, the term and appointment process may be extended by a Local Law approved by City Council; and that a City Engineer so appointed may only be subject to removal or other disciplinary action by the Mayor for incompetency, misconduct, or insubordination in accordance with Civil Service Law § 75 and the Code of the City of Binghamton § 124-1.

Section 3. That this Local Law shall be effective upon approval of the electorate and proper filing with the Secretary of State.

I hereby certify the above to be a true copy
of the legislation adopted by the Council
of the City of Binghamton at a meeting
held on 4/3/13. Approved by the
Mayor on 4/4/13.



Introductory No. LL13-1

Permanent No. LL13-1

Sponsored by City Council Members:
Webb, Motsavage, Matzo, Rennia, Mihalcko, Papastrat

A LOCAL LAW AMENDING THE
APPOINTMENT AND TERM OF THE CITY
ENGINEER

The within Local Law was adopted by the Council of
the City of Binghamton.

APRIL 3, 2013
Date April 3, 2013
City Clerk Shirley J. Jones

APRIL 4, 2013
Date Presented to Mayor

4/4/13
Date Approved Matthew T. Ryan
Mayor

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalcko	✓			
Rennia	✓			
Webb	✓			
Papastrat	✓			
Matzo	✓			
Berg				✓
Total	6	0	0	1

☐ Code of the City of Binghamton

☒ Adopted ☐ Defeated
6 Ayes 0 Nays 0 Abstain 1 Absent



OFFICE OF THE CITY CLERK ■ CITY OF BINGHAMTON

Teri Renna, City Council President
Angela Holmes, City Clerk

HAND-DELIVERED

Broome County Board of Elections
c/o Karen Davis & Mary E. Pines
60 Hawley Street
Binghamton, NY 13901

Friday April 5, 2013

RE: City of Binghamton Local Law 13-1, Appointment & Term of City Engineer

Dear Ms. Davis & Ms. Pines,

The Council of the City of Binghamton adopted Permanent Local Law 13-1, entitled *A Local Law amending the appointment and term of the City Engineer*, at a Business Meeting held on April 3, 2013. I hereby submit this Local Law to the Broome County Board of Elections for the approval of the electors at a general election of state or local government officers to be held on November 5, 2013, to decide the following question:

Pursuant to Municipal Home Rule Law § 23, should the City of Binghamton amend its Charter and Code of the City of Binghamton to provide for the position of City Engineer to be appointed by the mayor, subject to approval of City Council, for one six (6) year term beginning January 1, 2014, through December 31, 2019; that after January 1, 2016, the term and appointment process may be extended by a Local Law approved by City Council; and that a City Engineer so appointed may only be subject to removal other disciplinary action by the Mayor for incompetency, misconduct, or insubordination in accordance with Civil Service Law § 75 and the Code of the City of Binghamton § 124-1.

A certified copy of Permanent Local Law 13-1 is enclosed. Please confirm by letter that this matter will be on the ballot for the November 5, 2013 general election.

Sincerely,

A handwritten signature in cursive script, appearing to read "Angela Holmes", is written over the printed name.

Angela Holmes
City Clerk

received by B.C. Elections
KD
mp
m.pines

FILED
BROOME COUNTY
BOARD OF ELECTIONS
2013 APR -5 AM 11:18
KD
mp